

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CODA DEVELOPMENT s.r.o., CODA
INNOVATIONS s.r.o., and FRANTISEK
HRABAL,

Plaintiffs

V.

THE GOODYEAR TIRE & RUBBER
COMPANY and ROBERT BENEDICT,

Defendants.

Case No. 5:15-CV-01572-SL

JUDGE SARA LIOI

JOINT STATUS REPORT

NOW COME Plaintiffs Coda Development s.r.o., Coda Innovations s.r.o., and Frantisek Hrabal (collectively, hereinafter “Coda”), and Defendants The Goodyear Tire & Rubber Company and Robert Benedict (“Goodyear” and, together with Coda, the “Parties”), by and through their respective undersigned counsel, and pursuant to this Court’s Fifth Amended Case Management Plan and Trial Order (Dkt. 184) hereby submit this Joint Status Report.

I. DISCOVERY

Fact discovery began on August 1, 2019, and closed on July 21, 2020. Expert discovery began on September 10, 2020, and closed on December 22, 2020.

II. SETTLEMENT DISCUSSIONS

The parties engaged in mediated discussions in July 2022 but did not reach settlement.

III. MOTIONS THAT HAVE BEEN FILED OR REMAIN PENDING

On April 29, 2022, the parties filed motions in limine and other pre-trial motions. The motions are pending. Hearings on the motions were held on July 21, 25, and 26. A listing of motions and their related briefing is below.

- Plaintiffs' Motion to Exclude Privileged Documents (Dkt. 278)
Defendants' opposition (Dkt. 295)
- Plaintiffs' Motion to Exclude Purported Expert Testimony and Opinions of Defendants' Expert James Sprague (Dkt. 290)
Defendants' opposition (Dkt. 297)
- Defendants' Motion to Exclude Testimony and Opinions of Shirley Webster (Dkt. 279)
Plaintiffs' opposition (Dkt. 303)
Defendants' reply (Dkt. 307)
Plaintiffs' surreply (Dkt. 311)
- Defendants' Motion to Exclude Testimony and Opinions of E. Bryan Coughlin, Ph.D. (Dkt. 280)
Plaintiffs' opposition (Dkt. 298)
- Defendants' Motion to Exclude Testimony and Opinions of Suneal Bedi, Ph.D. (Dkt. 281)
Plaintiffs' opposition (Dkt. 299)
- Defendants' Motion to Exclude Alternative Damages Theories and Calculations Not Disclosed by Coda in Discovery (Dkt. 282)
Plaintiffs' opposition (Dkt. 301)

IV. DEVELOPMENTS THAT MIGHT GIVE RISE TO A REQUEST TO DEVIATE FROM THE SCHEDULE

The Court issued a Trial Order on October 8, 2021, setting forth the schedule to trial. (Dkt. 263.) Pursuant to the Second Modified Fifth Amended Case Management Plan and Trial Order, no further continuances of the schedule will be granted. (Dkt. 184.) At present, the Parties have not raised any issue that might require a further request to deviate from the schedule.

Respectfully submitted,

/s/ John C. Evans (with email permission)

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PROOF OF SERVICE

The foregoing was filed electronically with the Court on July 29, 2022. Notice of this filing was sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Scott M. Richey